

February 28, 2001

VIA e-Docket

Hearing Examiner Eve Moran
Illinois Commerce Commission
160 North LaSalle
Chicago, Illinois 60601

Hearing Examiner Leslie Haynes
Illinois Commerce Commission
160 North LaSalle
Chicago, Illinois 60601

Re: ICC Docket No. 00-0592
Revised Plan of Record

Hearing Examiner's Moran and Haynes:

Yesterday, Ameritech Illinois ("Ameritech") submitted its modified Plan of Record ("POR"), purportedly to meet the requirements of the Commission's January 24, 2001 Order. As Ameritech correctly noted in its letter accompanying its modified POR, AT&T and Covad have certain objections to the POR submitted by Ameritech. By this letter, like Covad has already done, AT&T explains its objections.

One of the issues raised in this case concerned the amount of monitored versus non-monitored testing that would be available to CLECs in the joint testing environment. Ameritech argued that non-monitored joint testing be available for only 10% of the total joint testing time. The Commission rejected this proposal, finding as follows:

The Commission finds that AI's proposal cannot be adopted. It is clear that monitoring, as proposed by AI, stops the test transaction, thereby disrupting the timing and flow through of test orders. Since this disruption occurs in the testing environment, but not in the production environment, the two environments do not mirror each other.

Order, p. 29.

However, the Commission also found that monitored transaction might be helpful for some CLECs. Thus, the Commission's decision struck an appropriate middle ground,

holding that "AI shall initially conduct monitored testing 50% of the time." The Commission found that "providing unmonitored testing 50% of the time will provide more time for CLECs who do not want monitored testing to test timing and flow-through." Order, p. 29. The Commission specifically noted that CLECs requesting a higher percentage of non-monitored testing could do so, but "[i]n the event that AI and the various CLECs are unable to reach an agreement, the percentage of time for non-monitoring for all CLECs will remain at 50%." Order, p. 30.

Ameritech's POR distorts this holding in two ways. First Ameritech's POR refers to the 50% non-monitored window as a "guideline" as opposed to a general rule. Clearly, absent agreement to the contrary, the Commission held that non-monitored testing will take place 50% of the time, not as a guideline but as a general rule. The POR should be modified to reflect this fact.

Second, Ameritech's POR attempts to diminish the scope of the Commission's holding. Ameritech's POR would only provide non-monitored testing for "release" testing, as opposed to joint testing that might otherwise take place by a CLEC between releases. Ameritech contends that for non-release testing, all transactions will be monitored. This is clearly not the intent of the Commission's Order. Nowhere in its Order did the Commission limit its opinion to "release" versus "non-release" joint testing. The Order applied to *all* joint testing. At no time during this case did the parties make such a distinction. Indeed, the Commission's order specifically defines "joint testing" to include both release testing *and* CLEC testing that might otherwise take place. The Commission could not have been more clear in this regard, as it defined joint testing as follows:

Joint testing describes the process by which AI and the CLECs will test a new OSS interface or application, including releases and versions. Similarly, joint testing arises when a CLEC upgrades or changes its side of an OSS interface. The joint testing process is applicable to application-to-application, pre-ordering, ordering and trouble administration interfaces.

Order, p. 21.

Consistent with the Commission's Order, AT&T believes that the following paragraph, beginning on page 38 of Ameritech's modified POR, should be modified as follows (AT&T has highlighted in gray the Ameritech language that should be deleted and has inserted its own language as bold/underlined):

Test cases will be monitored while being processed in order to provide CLEC prompt feedback on test results. Ameritech

Illinois will make a window of time available for automatic, i.e. unmonitored, processing of test orders. As a guideline, for release testing, **As a general rule**, this window will account for 50% of the total **joint testing** window. CLECs may utilize this automatic processing testing window for the portion of their test plan requiring such processing. The exact percentage of time for which monitoring will not take place during the test period will be subject to negotiations, outside the CMP, between Ameritech Illinois and those CLECs requesting a greater period of non-monitoring. In addition, all such negotiations will occur prior to the start of the joint testing environment for a given release. Ameritech Illinois will make a good faith effort to accommodate the CLECs that do not want monitored testing while at the same time addressing the needs of other CLECs who want monitoring. In the event that Ameritech Illinois and the various CLECs are unable to reach an agreement, the percentage of time for non-monitoring for all CLECs will remain at 50%, **consistent with the general rule noted above**.

AT&T respectfully requests that the Commission require Ameritech to include the aforementioned language in its final POR.

Sincerely,

David J. Chorzempa

DJC/

cc: Donna Caton
Service List